



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No. 6

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OFFICE OF PETITIONS

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OFFICE OF PETITIONS

In re Application of
Dane E. Carter
Application No. 09/541,849
Filed: April 3, 2000
Attorney Docket No. DP-300512

DECISION ON PETITION

This is a decision on the petition to revive the above-identified application under 37 CFR 1.137(b), filed August 22, 2002 (Certificate of Mailing dated April 12, 2002). The Office apologizes for the delay.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." This is **not** a final agency decision within the meaning of 5 USC 704.

The above-identified application became abandoned for failure to timely pay the issue fee in response to the Notice of Allowance mailed July 20, 2001. This Notice set a statutory period for reply of three months for issue fee transmittal. No extensions of time under 37 CFR 1.136(a) were available. No issue fee having been received, the above-identified application became abandoned on October 21, 2001. A Notice of Abandonment was mailed on March 21, 2002.

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Application No. 09/541,849

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d).

The instant petition lacks item (1), the issue fee.

A copy of the Notice of Allowance is enclosed for petitioner's convenience. Also enclosed is a blank copy of form PTOL-85B, issue fee transmittal form.

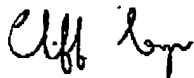
Petitioner is advised that the current issue fee is \$1,330.

Further correspondence concerning this application should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

By FAX: (703) 872-9306
Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0272.



Cliff Congo
Petitions Attorney
Office of Petitions

Enc: Notice of Allowance and Notice of Allowability mailed
July 20, 2001 (6 pages)
PTOL-85B (1 page)